

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE REGULATION
ADMINISTRATION BOARD

IN THE MATTER OF:

MYIA, LLC t/a TBD
1419 Wisconsin Avenue,
N.W.

Roll Call Hearing

License #ABRA-096102
Retailer CR
Case #14-PRO-00066
New Application

Monday,
September 29, 2014

ABRA Hearing Room, 400 South
Reeves Municipal Center
2000 14th Street, N.W.
Washington, D.C. 20009

The above-entitled matter convened at
10:30 a.m., before the District of Columbia Alcoholic
Beverage Regulation Administration Board.

BEFORE:

LA VERNE FLETCHER, Board Mediator

P R O C E E D I N G S

(10:30 a.m.)

MS. FLETCHER: Would the parties in the matter of MYIA, LLC, trading as To Be Determined, come forward. This is Case No. 14-PRO-00066.

MR. KLINE: Good morning. Andrew Kline on behalf of the Applicant.

MS. FLETCHER: Thank you, Mr. Kline. The address is 1419 Wisconsin Avenue, N.W., License No. ABRA-096102. This is a Retailer CR, a New Application. The protest issues are adverse impact on peace, order, and quiet, parking, pedestrian safety and property values.

Present on behalf of the Citizens Association of Georgetown?

MS. CRUSE: Karen Tammany Cruse.

MS. FLETCHER: Okay. Ms. Cruse. And Ms. Cruse, would you spell your name for the record, please.

MS. CRUSE: K-a-r-e-n. T-a-m-m-a-n-y. C-r-u-s-e.

MS. FLETCHER: And present on behalf of ANC

1 2E?

2 COMMISSIONER JONES: Jeffrey Jones,
3 Commissioner, ANC 2E.

4 MS. FLETCHER: This is also the Georgetown
5 Moratorium Zone?

6 COMMISSIONER JONES: Yes.

7 MS. FLETCHER: Thank you. And there's also
8 a group of individuals present. If you would come to
9 the microphone, state your name, and spell it for the
10 record, please.

11 MS. RUTLEDGE: Good morning, once again.

12 Madam Chair, it's exactly the same as we
13 had for Yummi, so we'll just give you our names, once
14 again.

15 MS. FLETCHER: Well, here's what happens.
16 This is a brand each case is separate, so whatever
17 information you provided for the first one is going to
18 be exactly the same. There's different records created
19 for each case.

20 MS. RUTLEDGE: Oh. Very good. Thank you for
21 the notification.

22 MS. FLETCHER: But we're definitely

1 starting over.

2 MS. RUTLEDGE: Okay. So we will not ask you
3 to make photocopies of the statement that we signed
4 already.

5 MS. FLETCHER: Yes, you will need to you
6 mean the letters of designation? Well, let me just
7 start at the beginning, and we'll get to

8 MS. RUTLEDGE: Thank you very much. So once
9 again, my name is Susan Rutledge. It's spelled R-u-t-
10 l-e-d-g-e. Thank you.

11 MS. FLETCHER: Thank you.

12 MS. ROBINSON: My name is Page Robinson. I
13 also am representing two people in this case, and
14 again you have copies of that letter. Should I state
15 their names?

16 MS. FLETCHER: Ms. Robinson has provided me
17 with -- in a previous case, the parties are identical.
18 I'm stating this just for this record. In the
19 previous case of Yummi Crawfish, the parties are
20 identical, and so Ms. Robinson, you're representing
21 two additional people. You can state what their names
22 are.

1 MS. ROBINSON: Peter Pastre. Peter P-a-s-t-
2 r-e. And Jim Syndaaios, S-y-n-d-a-i-o-s, I think. I'm
3 sorry. Okay.

4 MS. FLETCHER: Thank you.

5 MS. CONANT: Katherine, K-a-t-h-e-r-i-n-e,
6 Conant, C-o-n-a-n-t.

7 MS. FLETCHER: Ms. Conant.

8 MR. PLATT: Hi. Allan Platt. A-l-l-a-n, P-
9 l-a-t-t.

10 MS. FLETCHER: And Mr. Platt, are you
11 representing anyone else in this day?

12 MR. PLATT: I am. Jason Balmuth. J-a-s-o-n
13 B-a-l-m-u-t-h.

14 MS. FLETCHER: And did you sign the protest
15 timely?

16 MR. PLATT: I signed it I don't know. Did
17 I sign it in time for this one>?

18 MS. ROBINSON: It's the same case as
19 before, so you signed it after the deadline.

20 MS. FLETCHER: Okay. So Mr. Platt is not a
21 Protestant but he is representing Jason Balmuth, who
22 is a Protestant?

1 MR. PLATT: That's correct.

2 MR. SHERMAN: I am Michael Sherman, S-h-e-
3 r-m-a-n. I too signed the letter but untimely. But I
4 am here representing Judith Bunnell, B-u-n-n-e-l-l,
5 who is a Protestant and did sign the letter in a
6 timely fashion.

7 MS. FLETCHER: Yes; she did.

8 This is the Georgetown Moratorium Zone,
9 and so the fact that at least three are present, that
10 signed the protest letters, means that you're granted
11 full standing as Protestants. That your group is
12 granted full standing as Protestants. That would be
13 those in the group that are either present or
14 represented. And you started out with a Group of 35.
15 The individuals that are granted standing are going to
16 be the ones that are either present or the designated
17 representative.

18 Based on my previous calculation, that'll
19 be a Group of 17. So we have, as Protestants in this
20 matter, the Citizens Association of Georgetown, ANC
21 2E, and a Group of 17. I already have the contact
22 information for you, Ms. Robinson. Are you

1 representing this group as well?

2 MS. ROBINSON: No.

3 MS. FLETCHER: So who's the designated
4 representative for

5 MR. SHERMAN: I'll be representing this
6 group, Madam Chair. Michael Sherman.

7 MS. FLETCHER: Michael Sherman is the
8 designated representative for this group.

9 So Mr. Sherman, I'll need your contact
10 information on that sheet that Ms. Cruse has.

11 The date for the status hearing is October
12 22nd at 9:30. October 22nd at 9:30 for the status
13 hearing.

14 The protest hearing is November 19 at
15 4:30. November 19 at 4:30.

16 And we need to set a date for mediation.

17 Based on the previous case, where the
18 parties are all the same on the Protestant side, the
19 week of October 6 and October 13 were not good weeks
20 for the Protestants. That's the case. Yes?

21 MR. SHERMAN: If I can, October 13, the
22 week of October 13 is not good for us. Our preferred

1 date for a mediation would be Tuesday, October 21st at
2 10:00 a.m. Is that possible?

3 MS. FLETCHER: And that's Mr. Sherman
4 speaking?

5 MR. SHERMAN: Yes.

6 MS. FLETCHER: Thank you, Ms. Sherman.

7 If that's good for everybody

8 MR. KLINE: That works for me.

9 MS. FLETCHER: That works for Mr. Kline.

10 ANC?

11 COMMISSIONER JONES: Yes.

12 MS. FLETCHER: And Ms. Cruse.

13 MS. CRUSE: Yes.

14 MS. FLETCHER: So what time is that, Mr.
15 Sherman?

16 MR. SHERMAN: 10:00 a.m.

17 MS. FLETCHER: 10:00 o'clock on October
18 21st for mediation.

19 MR. SHERMAN: Yes.

20 MS. FLETCHER: Okay. So the mediation is
21 set for Tuesday, October 21st, at 10:00.

22 And Ms. Robinson, as you mentioned, i will

1 duplicate the copies of the letters of designation
2 from both cases, for Yummi and for MYIA, and all of
3 the Protestants present agree that Mr. Sherman is
4 representing the parties in the matter of MYIA?

5 (Chorus of yes)

6 MS. FLETCHER: Thank you. Any questions?

7 (No response)

8 MS. FLETCHER: The roll call hearing is
9 concluded.

10 (Whereupon, at 10:45 a.m., the roll call
11 hearing was concluded)

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| <p>A</p> <p>A-l-l-a-n 5:8 a.m 1:17 2:2 8:2,16 9:10 above-entitled 1:16 ABRA 1:13 ABRA-096102 1:8 2:10 additional 4:21 address 2:9 Administration 1:3 1:18 adverse 2:11 agree 9:3 Alcoholic 1:3,17 Allan 5:8 ANC 2:22 3:3 6:20 8:10 Andrew 2:6 Applicant 2:7 Application 1:9 2:10 Association 2:15 6:20 Avenue 1:7 2:9</p> <hr/> <p>B</p> <p>B-a-l-m-u-t-h 5:13 B-u-n-n-e-l-l 6:4 Balmuth 5:12,21 Based 6:18 7:17 beginning 4:7 behalf 2:7,14,22 Beverage 1:3,18 Board 1:3,18,21 brand 3:16 Bunnell 6:4</p> <hr/> <p>C</p> <p>C 2:1 C-o-n-a-n-t 5:6 C-r 2:20 calculation 6:18 call 1:6 9:8,10 case 1:9 2:5 3:16,19 4:13,17,19 5:18 7:17,20</p> | <p>cases 9:2 Center 1:13 Chair 3:12 7:6 Chorus 9:5 Citizens 2:14 6:20 Columbia 1:1,17 come 2:4 3:8 Commissioner 3:2 3:3,6 8:11 Conant 5:5,6,7 concluded 9:9,11 contact 6:21 7:9 convened 1:16 copies 4:14 9:1 correct 6:1 CR 1:8 2:10 Crawfish 4:19 created 3:18 Cruse 2:16,16,17 2:18,20 7:10 8:12 8:13</p> <hr/> <p>D</p> <p>D 2:1 D.C 1:14 date 7:11,16 8:1 day 5:11 deadline 5:19 definitely 3:22 designated 6:16 7:3 7:8 designation 4:6 9:1 Determined 2:4 different 3:18 District 1:1,17 duplicate 9:1</p> <hr/> <p>E</p> <p>E 2:1,1 either 6:13,16 everybody 8:7 exactly 3:12,18</p> <hr/> <p>F</p> <p>fact 6:9 fashion 6:6 first 3:17</p> | <p>FLETCHER 1:21 2:3,8,17,22 3:4,7 3:15,22 4:5,11,16 5:4,7,10,14,20 6:7 7:3,7 8:3,6,9,12 8:14,17,20 9:6,8</p> <p>forward 2:5 full 6:11,12</p> <hr/> <p>G</p> <p>G 2:1 Georgetown 2:15 3:4 6:8,20 give 3:13 going 3:17 6:15 good 2:6 3:11,20 7:19,22 8:7 GOVERNMENT 1:1 granted 6:10,12,15 group 3:8 6:11,13 6:14,19,21 7:1,6,8</p> <hr/> <p>H</p> <p>happens 3:15 hearing 1:6,13 7:11 7:13,14 9:8,11 Hi 5:8</p> <hr/> <p>I</p> <p>identical 4:17,20 impact 2:11 individuals 3:8 6:15 information 3:17 6:22 7:10 issues 2:11</p> <hr/> <p>J</p> <p>J-a-s-o-n 5:12 Jason 5:12,21 Jeffrey 3:2 Jim 5:2 Jones 3:2,2,6 8:11 Judith 6:4</p> <hr/> <p>K</p> <p>K-a-r-e-n 2:20</p> | <p>K-a-t-h-e-r-i-n-e 5:5 Karen 2:16 Katherine 5:5 Kline 2:6,6,8 8:8,9 know 5:16</p> <hr/> <p>L</p> <p>l-a-t-t 5:9 l-e-d-g-e 4:10 LA 1:21 letter 4:14 6:3,5 letters 4:6 6:10 9:1 License 1:8 2:9 LLC 1:6 2:4</p> <hr/> <p>M</p> <p>Madam 3:12 7:6 matter 1:6,16 2:4 6:20 9:4 mean 4:6 means 6:10 mediation 7:16 8:1 8:18,20 Mediator 1:21 mentioned 8:22 Michael 6:2 7:6,7 microphone 3:9 Monday 1:11 Moratorium 3:5 6:8 morning 2:6 3:11 Municipal 1:13 MYIA 1:6 2:4 9:2,4</p> <hr/> <p>N</p> <p>N 2:1 N.W 1:7,14 2:9 name 2:18 3:9 4:9 4:12 names 3:13 4:15,21 need 4:5 7:9,16 New 1:9 2:10 notification 3:21 November 7:14,15</p> <hr/> <p>O</p> <p>O 2:1</p> | <p>o'clock 8:17 October 7:11,12,19 7:19,21,22 8:1,17 8:21 Oh 3:20 Okay 2:17 4:2 5:3 5:20 8:20 once 3:11,13 4:8 ones 6:16 order 2:11</p> <hr/> <p>P</p> <p>P 2:1 5:8 P-a-s-t 5:1 Page 4:12 parking 2:12 parties 2:3 4:17,19 7:18 9:4 Pastre 5:1 peace 2:11 pedestrian 2:12 people 4:13,21 Peter 5:1,1 photocopies 4:3 Platt 5:8,8,10,12,16 5:20 6:1 please 2:19 3:10 possible 8:2 preferred 7:22 present 2:14,22 3:8 6:9,13,16 9:3 previous 4:17,19 6:18 7:17 property 2:12 protest 2:11 5:14 6:10 7:14 Protestant 5:21,22 6:5 7:18 Protestants 6:11,12 6:19 7:20 9:3 provided 3:17 4:16</p> <hr/> <p>Q</p> <p>questions 9:6 quiet 2:12</p> <hr/> <p>R</p> |
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